

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 Elaine Braxton, as natural parent and guardian
4 of D.N.,

5 Plaintiff

6 v.

7 Clark County School District, et al.,

8 Defendants

Case No.: 2:23-cv-00144-JAD-MDC

**Order Adopting Report and
Recommendation re: Attorney
Disqualification**

[ECF Nos. 61, 80]

9 In this action alleging abuse of a Clark County School District student, the defendants
10 move to disqualify the law firm representing the plaintiff based on the fact that former CCSD
11 Assistant General Counsel and Chief Negotiator Fikisha Miller, Esq., has left the district and
12 been hired on by the firm.¹ The magistrate judge conducted a hearing on the motion and now
13 recommends it be granted in part.² The deadline to object to that recommendation was June 20,
14 2024, which passed with no objection or request to extend the deadline to file one. “[N]o review
15 is required of a magistrate judge’s report and recommendation unless objections are filed.”³
16 Accordingly,

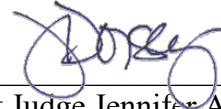
17 IT IS HEREBY ORDERED THAT the report and recommendation [ECF No. 80] is
18 **ADOPTED**, and the motion to disqualify counsel [ECF No. 61] is **GRANTED in part**. The
19 **H&P Law Firm must continue to screen Fikisha Miller, Esq., from this case and she can be**

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22 ¹ ECF No. 61.

23 ² ECF No. 80.

³ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 **apportioned no part of any fee therefrom. The motion is denied in all other respects, and**
2 **plaintiff's request for fees [ECF No. 67] is DENIED.**

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U.S. District Judge Jennifer A. Dorsey
Dated: June 24, 2024